

## FACSIMILE COVER SHEET

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July 12, 2004

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**GROUP: 1635****FAX NUMBER: 1-703-872-9306****ATTORNEY DOCKET NO.: RTS-0332****SERIAL NO.: 10/006,366****FILED: December 5, 2001****CUSTOMER NO.: 32862****CONFIRMATION NO.: 1680**

**NUMBER OF PAGES: 10**  
(including this sheet)

**MESSAGE:** Attached is an Amendment Transmittal Letter (in duplicate);  
Reply to Restriction Requirement dated June 10, 2004 and  
Notification of a Change in Status to Large Entity.

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\* \* \* \* \*

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AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. RTS-0332	
Applicant(s): Bennett and Dobie					
Application No. 10/006,366	Filing Date December 5, 2001	Examiner Karen A. LaCourciere	Customer No. 32862	Group Art Unit 1635	Confirmation No. 1680
Invention: Antisense Modulation of MHC Class II Transactivator Expression					
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Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	19 -	20 =	0	x \$18.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0	x \$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. in the amount of
- A check in the amount of to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1619
  - Any additional filing fees required under 37 C.F.R. 1.16.
  - Any patent application processing fees under 37 CFR 1.17.

*Jane Massey Licata*

Signature

Dated: July 12, 2004

Jane Massey Licata  
Reg. No. 32,257  
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Tel: 856-810-1515  
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I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. RTS-0332	
Applicant(s): Bennett and Dobie					
Application No. 10/006,366	Filing Date December 5, 2001	Examiner Karen A. LaCourciere	Customer No. 32862	Group Art Unit 1635	Confirmation No. 1680
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Dated: July 12, 2004

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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. RTS-0332
Applicant(s): Bennett and Dobie			
Application No. 10/006,366	Filing Date December 5, 2001	Examiner Karen A. LaCourciere	Group Art Unit 1635
Invention: Antisense Modulation of MHC Class II Transactivator Expression			
<p>I hereby certify that this <u>Reply to Restriction Requirement</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u>) on <u>July 12, 2004</u> (Date)</p> <p><u>Jane Massey Licata</u> (Typed or Printed Name of Person Signing Certificate)</p> <p><i>Jane Massey Licata</i> (Signature)</p> <p>Note: Each paper must have its own certificate of mailing.</p>			

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: RTS-0332  
Inventors: Bennett and Dobie  
Serial No.: 10/006,366  
Filing Date: December 5, 2001  
Examiner: Karen A. LaCourciere  
Group Art Unit: 1635  
Customer No.: 32862  
Confirmation No.: 1680  
Title: Antisense Modulation of MHC Class II  
Transactivator Expression

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On July 12, 2004

Jane Matsey  
Jane Matsey Licata Registration No. 32,257

Commissioner for Patents  
Washington, D.C. 20231

REPLY TO RESTRICTION REQUIREMENT

This reply is to the Restriction Requirement mailed  
June 10, 2004, setting a one (1) month statutory period for  
response.

Remarks begin on page 2 of this paper.

Attorney Docket No.: RTS-0332  
Inventors: Bennett and Dobie  
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Filing Date: December 5, 2001  
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**REMARKS**

Claims 1, 2 and 4-20 are pending in the instant application. The pending claims have been subjected to a restriction under 35 U.S.C. §121 as follows:

Group I, claims 1, 2, 4-14, 19 and 20, drawn to a compound targeted to a nucleic acid encoding MHC class II transactivator, classified in class 536, subclass 24.5.

Group II, claims 15-18, drawn to a method of inhibiting the expression of MHC class II transactivator, classified in class 514, subclass 44.

The Examiner suggests that Groups I and II are related as a product and process of use. It is further suggested that the compound of Group I may be used in a materially different method than the methods of Group II, for example the compound can be used as a primer in a method of amplification.

Applicants respectfully traverse this restriction requirement.

In accordance with MPEP § 803, there are two criteria which must be met for a proper restriction requirement. The first is that the inventions be independent or distinct; the second is that there would be serious burden on the Examiner if the restriction is not required.

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In the present invention, claims 1, 2, 4-14, 19 and 20 (group I) are drawn to a compound targeted to a nucleic acid molecule encoding MHC class II transactivator, wherein the compound specifically hybridizes with said nucleic acid molecule and inhibits the expression of MHC class II transactivator. Group II (claims 15-18) is drawn to a method of inhibiting the expression of MHC class II transactivator by contacting cells with the compound of Group I. Furthermore, claims 15-18 are dependent claims upon claim 1.

Accordingly, since this restriction requirement does not meet both criteria required under MPEP §803 to be proper, withdrawal of this restriction requirement is respectfully requested.

However, in an earnest effort to further facilitate prosecution, Applicants elect Group I, claims 1, 2, 4-14, 19 and

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20, drawn to a compound targeted to a nucleic acid encoding MHC class II transactivator, with traverse.

Respectfully submitted,

*Jane Massey Licata*

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Date: July 12, 2004

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